

REMARKS

Applicants reply to the Advisory Action dated November 28, 2006 within the shortened statutory one month period for reply. Claims 1-77 were pending in the application and the Examiner states that they are subject to restriction action and/or election requirement. Reconsideration of the pending claims is requested. The amendments are adequately supported in the originally-filed specification, drawings and claims. No new matter is added in this Reply.

The Examiner has asserted a Restriction Requirement under 35 U.S.C. § 121 requiring restriction of the application as follows:

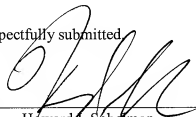
- Invention I: Claims 1-67, drawn to methods and systems for calculating rewards points based on associating a consumer identifier with a manufacturer item identifier, classified in class 705, subclass 14.
- Invention II: Claims 68-71, drawn to methods and systems for calculating rewards points based on associating a consumer identifier with a retailer item identifier, classified in class 705, subclass 14.
- Invention III: Claims 72-77, drawn to providing loyalty points from a system administrator to a third party, classified in class 705, subclass 38.

Applicant hereby elects Invention I, consisting of Claims 1-67, for prosecution in this application. Applicant has selected Invention I in order to expedite prosecution of this application. Applicant does not acquiesce to the Examiner's foundation for the Restriction Requirement as set forth in the Office Action. Accordingly, the foregoing election is made without waiver, estoppel or without prejudice to the filing of one or more related applications directed to the subject matter of the canceled claims.

The foregoing amendment conforms this application to the Examiner's Restriction Requirement dated November 28, 2006. Applicants submit that the application is now in condition for examination on the merits. Early notification of such action is earnestly solicited. Should the Examiner have any suggestions to place the application in even better condition for allowance, Applicants request that the Examiner contact the undersigned representative at the telephone number listed below. No new matter is added in this Response. Reconsideration of the application is thus requested.

Respectfully submitted,

Date: December 7, 2006

By: 
Howard I. Sobelman
Reg. No. 39,038

SNELL & WILMER, L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202
Phone: (602) 382-6228
Fax: (602) 382-6070
Email: hsobelman@swlaw.com